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Attorney for DENNIS DIRICCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNIS DIRICCO,

Defendant.

Case No. CR 06-0504 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Date: March 27, 2007

Time: 2:00 p.m.

Court: Hon. William H. Alsup

STIPULATION

Defendant Dennis DiRicco, by and through his counsel, Edward W. Swanson, and the United States, by and through Assistant United States Attorney Robin Harris, hereby stipulate and agree as follows:

1) A trial setting hearing in this matter is currently scheduled for March 27, 2007 at 2:00 p.m. The matter was continued to this date because counsel were seeking information concerning the former IRS agent in charge of investigating Mr. DiRicco, who apparently attempted to obtain a loan from a key witness.

2) Counsel for Mr. DiRicco has been in contact with the Assistant United States Attorney in the Central District of California who is conducting the investigation of the former agent. She has agreed to provide information and documents to Assistant United States Attorney Robin Harris, who will review the information and disclose it to the defense as appropriate. However, AUSA Harris has

not yet received any information and the parties do not expect this to occur for one to two weeks.

3) The nature of the information obtained and whether such information proves relevant to this matter will have an effect on the scheduling of this case, including whether further investigation or discovery litigation is required. To give the parties adequate time to receive this new information, review it, and take any necessary further action, and to accommodate the schedules of counsel and of the defendant, the parties stipulate that the hearing be continued until April 24, 2007 at 2:00 p.m.

4) The parties further stipulate that time be excluded until that date pursuant to 18 U.S.C. section 3161(h)(8) to allow effective preparation of counsel, and that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

DATED: March 22, 2007

/s/
Edward W. Swanson
SWANSON, MCNAMARA & HALLER LLP
Counsel for Defendant DENNIS DIRICCO

DATED: March 22, 2007

/s/
Robin Harris
Assistant United States Attorney

ORDER

Pursuant to stipulation, it is HEREBY ORDERED that the trial setting hearing in the above-captioned matter currently scheduled for Tuesday, March 27, 2007 be continued until Tuesday, April 24, 2007 at 2:00 p.m. The Court finds that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial and therefore further ORDERS that time be excluded until April 24, 2007 pursuant to 18 U.S.C. section 3161(h)(8).

DATED: March 26, 2007.

Hon. William H. Alsup
United States District Judge

